

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA**

DOYLE LEE HAMM,	)	Civil Action No.
	)	2:17-cv-02083-KOB
Plaintiff,	)	
v.	)	<b>EXECUTION SCHEDULED</b>
	)	
JEFFERSON S. DUNN, Commissioner,	)	<b>Thursday, February 22, 2018</b>
Alabama Department of Corrections, et al.,	)	
	)	
Defendants.	)	

**EMERGENCY MOTION FOR HEARING TODAY**

Plaintiff Doyle Lee Hamm files this emergency motion for a hearing TODAY. Yesterday evening, Doyle Hamm endured over two-and-a-half hours of attempted venous access. His execution began at 8:47pm CST and was aborted at about 11:30pm CST

The Commissioner gave the following press conference explaining that, after several hours of attempts, the medical team was unable “to obtain the appropriate venous access.” <https://www.pscp.tv/w/1ZkKzVaOAWwKv>

Doyle Hamm respectfully requests an emergency hearing for Friday, February 23, 2018, in order to establish exactly what happened during those two-and-a-half hours of attempted venous access. Counsel needs to know who was present, what equipment was used, and how they tried to access which veins. Counsel needs to memorialize the attempts, collect the IV kits and central line kits, and ensure that ADOC does not destroy the evidence surrounding the attempted execution.

Counsel requests immediate access to Doyle Hamm's body for an examination by his medical expert. Dr. Heath is available to fly down Saturday morning. Counsel would

request an order from the court allowing a medical visit, with a camera, ultrasound, and full medical equipment. COounsel would request an order from this Court scheduling a visit with Dr. Heath for this weekend. Counsel would also need, immediately, statements from every correctional officer who was present and the IV team, and anyone who was there attempting IV access, as well as from the doctor who was present. Counsel requests that the Commissioner allow counsel complete access to personnel and the execution chamber, to document what happened this evening. Counsel also requests that his clothes be retained.

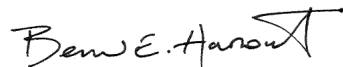
Most importantly, counsel requests an emergency hearing tomorrow morning with the Commissioner of ADOC and the Warden of Holman present to be examined.

**PRAYER**

WHEREFORE, Doyle Hamm requests the foregoing relief and an emergencyhearing TODAY.

DATED: February 23, 2018

Respectfully submitted,

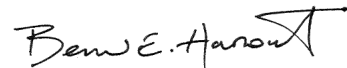
A handwritten signature in black ink, appearing to read "Bernard E. Harcourt". The signature is stylized with a large, sweeping "H" and a long horizontal stroke at the end.

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*Counsel for Doyle Lee Hamm*

CERTIFICATE OF SERVICE

I hereby certify that on February 23, 2018, I served a copy of the attached pleading by electronic mail to opposing counsel, Assistant Attorneys General Thomas Govan and Beth Jackson Hughes at [tgovan@ago.state.al.us](mailto:tgovan@ago.state.al.us) and [bhughes@ago.state.al.us](mailto:bhughes@ago.state.al.us), as well as to the Docket Clerk of the Capital Litigation Division of the Office of the Alabama Attorney General, Courtney Cramer at [ccramer@ago.state.al.us](mailto:ccramer@ago.state.al.us).

A handwritten signature in black ink, reading "Bernard E. Harcourt". The signature is stylized, with a large, sweeping "H" and a distinct "A" at the end.

BERNARD E. HARCOURT  
*Counsel of Record*